

2023V00647/BAW/jw

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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon. William J. Martini, U.S.D.J.
v.	:	Civil Action No. 23-2927 (WJM)
\$318,900 SEIZED FROM BANK OF AMERICA ACCOUNT NUMBER XXXXXXX4146 HELD IN THE NAME OF PRESTIGE SHIPPING INC.,	:	<u>DECLARATION OF PUBLICATION</u>
Defendant <i>in rem</i> .	:	

I, BARBARA A. WARD, pursuant to Title 28, United States Code, Section 1746, hereby declare under the penalty of perjury:

That I am an Assistant United States Attorney in the Office of the United States Attorney for the District of New Jersey, and

That attached to this Declaration are the following:

- (1) A true and correct copy of the Notice of Forfeiture Action against the Defendant *in rem* (Attachment 1), and
- (2) An Advertisement Certification Report generated by the Consolidated Asset Tracking System maintained by the Department of Justice, which indicates that the aforementioned Notice was posted on an official government internet site

(www.forfeiture.gov) for at least thirty (30) consecutive days, beginning on July 13, 2023, and ending on August 11, 2023, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions (Attachment 2).

Dated: March 26, 2024
Newark, New Jersey

s/Barbara A. Ward

BARBARA A. WARD
Assistant United States Attorney

Attachment 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
COURT CASE NUMBER: 2:23-CV-02927; NOTICE OF FORFEITURE ACTION**

Pursuant to 18 U.S.C. § 981 and 18 U.S.C. § 984, the United States filed a verified Complaint for Forfeiture against the following property:

\$318,900.00 seized from Bank of America account number XXXXXXXX4146, held in the name of Prestige Shipping Inc. (23-USS-000153), which was seized on March 1, 2023 at 2022 Avenue U, located in Brooklyn, NY

Any person claiming a legal interest in the Defendant Property must file a verified Claim with the court within 60 days from the first day of publication (July 13, 2023) of this Notice on this official government internet web site and an Answer to the complaint or motion under Rule 12 of the Federal Rules of Civil Procedure within 21 days thereafter. 18 U.S.C. § 983(h)(1) permits a court to impose a civil fine on anyone asserting an interest in property which the court determines was frivolous.

The verified Claim and Answer must be filed with the Clerk of the Court, Martin Luther King Federal Building & U.S. Courthouse, 50 Walnut Street, Room 4105, Newark, NJ 07101-0419, and copies of each served upon Assistant United States Attorney Barbara Ward, 970 Broad Street,, Suite 700, Newark, NJ 07102, or default and forfeiture will be ordered. See, 18 U.S.C. § 983(a)(4)(A) and Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

The government may also consider granting petitions for remission or mitigation, which pardon all or part of the property from the forfeiture. A petition must include a description of your interest in the property supported by documentation; include any facts you believe justify the return of the property; and be signed under oath, subject to the penalty of perjury, or meet the requirements of an unsworn statement under penalty of perjury. See 28 U.S.C. Section 1746. For the regulations pertaining to remission or mitigation of the forfeiture, see 28 C.F.R. Sections 9.1 - 9.9. The criteria for remission of the forfeiture are found at 28 C.F.R. Section 9.5(a). The criteria for mitigation of the forfeiture are found at 28 C.F.R. Section 9.5(b). The petition need not be made in any particular form and may be filed online or in writing. You should file a petition not later than 11:59 PM EST 30 days after the date of final publication of this notice. See 28 C.F.R. Section 9.3(a). The <https://www.forfeiture.gov/FilingPetition.htm> website provides access to a standard petition form that may be mailed and the link to file a petition online. If you cannot find the desired assets online, you must file your petition in writing by sending it to Assistant United States Attorney Barbara Ward, 970 Broad Street,, Suite 700, Newark, NJ 07102. This website provides answers to frequently asked questions (FAQs) about filing a petition. You may file both a verified claim with the court and a petition for remission or mitigation.

ATTACHMENT 1



Advertisement Certification Report

The Notice of Publication was available on the www.forfeiture.gov web site for at least 18 hours per day between July 13, 2023 and August 11, 2023. Below is a summary report that identifies the uptime for each day within the publication period and reports the results of the web monitoring system's daily check that verifies that the advertisement was available each day.

U.S. v. \$318,900.00 seized from Bank of America

Court Case No: 2:23-CV-02927
For Asset ID(s): See Attached Advertisement Copy

Consecutive Calendar Day Count	Date Advertisement Appeared on the Web Site	Total Hours Web Site was Available during Calendar Day	Verification that Advertisement existed on Web Site
1	07/13/2023	23.9	Verified
2	07/14/2023	23.9	Verified
3	07/15/2023	23.9	Verified
4	07/16/2023	23.9	Verified
5	07/17/2023	23.9	Verified
6	07/18/2023	23.9	Verified
7	07/19/2023	23.9	Verified
8	07/20/2023	23.9	Verified
9	07/21/2023	23.9	Verified
10	07/22/2023	23.9	Verified
11	07/23/2023	23.9	Verified
12	07/24/2023	23.9	Verified
13	07/25/2023	23.8	Verified
14	07/26/2023	23.8	Verified
15	07/27/2023	23.9	Verified
16	07/28/2023	23.9	Verified
17	07/29/2023	23.8	Verified
18	07/30/2023	24.0	Verified
19	07/31/2023	24.0	Verified
20	08/01/2023	24.0	Verified
21	08/02/2023	23.8	Verified
22	08/03/2023	24.0	Verified
23	08/04/2023	23.4	Verified
24	08/05/2023	23.9	Verified
25	08/06/2023	24.0	Verified
26	08/07/2023	23.9	Verified
27	08/08/2023	23.9	Verified
28	08/09/2023	23.9	Verified
29	08/10/2023	23.9	Verified
30	08/11/2023	23.9	Verified

Additional log information is available and kept in the archives for 15 years after the asset has been disposed.

ATTACHMENT 2